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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

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12 IN RE TFT-LCD (FLAT PANEL)
13 ANTITRUST LITIGATION

Master File No. C07-1827 SI

MDL No. 1827

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JOSEPH T. PISCITELLO on behalf of himself
16 and all others similarly situated,

Case No. C07-2466 MEJ

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Plaintiff,

**PLAINTIFF JOSEPH T. PISCITELLO'S
ADMINISTRATIVE MOTION TO
RELATE CASE
[CIVIL LOCAL RULE 3-12]**

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vs.

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LG.PHILIPS LCD CO., LTD.; et al.,

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Defendants.

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1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that Joseph T. Piscitello, the plaintiff in *Joseph T. Piscitello v.*
 3 *LG. Philips LCD Co., Ltd., et al.*, Case No. C07-2466 MEJ, hereby brings this Administrative
 4 Motion to Relate Case pursuant to Civil Local Rule 3-12.

5 **A. RELATED CASES**

- 6 1. *In re TFT-LCD (Flat Panel) Antitrust Litigation*, Master File No. C07-1827 SI; and
- 7 2. *Joseph T. Piscitello v. LG. Philips LCD Co., Ltd., et al.*, Case No. C07-2466 MEJ.

8 **B. RELATIONSHIP OF THE ACTIONS**

9 This Administrative Motion is made on the grounds that the instant action involves
 10 substantially duplicative or overlapping parties, and concerns the same wrongful acts and
 11 occurrences, as *In re TFT-LCD (Flat Panel) Antitrust Litigation*, a multidistrict litigation
 12 proceeding assigned to the Honorable Susan Illston.. Specifically, the instant action is a brought
 13 on behalf of purchasers of Thin Film Transistor Liquid Crystal Display, also called “TFT-LCD.”
 14 The case is brought against substantially overlapping defendants as *In re TFT-LCD (Flat Panel)*
 15 *Antitrust Litigation*. Both matters allege a conspiracy to fix, maintain, and inflate the prices of
 16 TFT-LCD sold in the United States. They both allege a violation of Section 1 of the Sherman
 17 Antitrust Act.

18 Civil Local Rule 3-12 provides that actions are related when:

- 19 (1) The actions concern substantially the same parties, property, transaction or
 20 event; and
- 21 (2) It appears likely that there will be an unduly burdensome duplication of
 22 labor and expense or conflicting results if the cases are conducted before
 23 different Judges.

23 Here, the cases sought to be related satisfy both criteria of Rule 3-12. They involve
 24 substantially overlapping defendants and the same transaction and events, *i.e.*, the sale of LCD-
 25 TFT in the United States. Deeming the *Piscitello* case to be related to *In re TFT-LCD (Flat*
 26 *Panel) Antitrust Litigation* will allow conservation of judicial resources because these cases raise
 27 the same, or substantially the same, questions of fact and law. It will also avoid the potential for
 28 conflicting results.

C. CONCLUSION

In light of the closely related nature of the cases identified herein, Joseph T. Piscitello respectfully requests that his case be deemed related and that the case be reassigned to Judge presiding over *In re TFT-LCD (Flat Panel) Antitrust Litigation*.

Dated: July 13, 2007

Respectfully submitted,

/s/ Bruce L. Simon

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